

Navigating Transformative Change: *Lessons Learned from SB 743/VMT Implementation in California*

July 1, 2020

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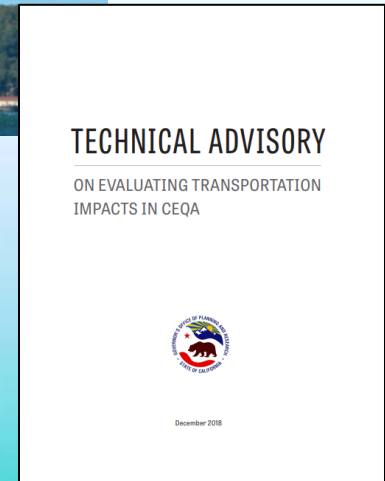
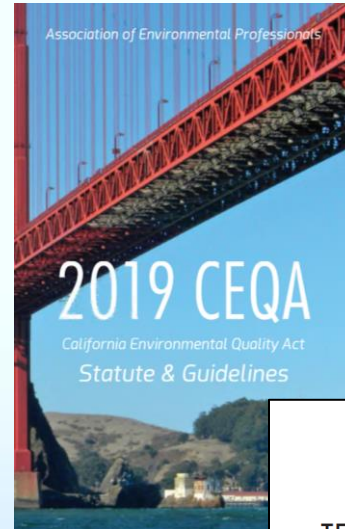
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How Did We Get Here?

Continued Legislative Influence

- SB 743 (2013)
- AB 417
- AB 2245
- SB 226
- AB 1358
- SB 375
- SB 97
- AB 32 (2006)



2013 → 2019

§ 15064.3. Determining the Significance of Transportation Impacts.

(a) Purpose.

This section describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact.

(b) Criteria for Analyzing Transportation Impacts.

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

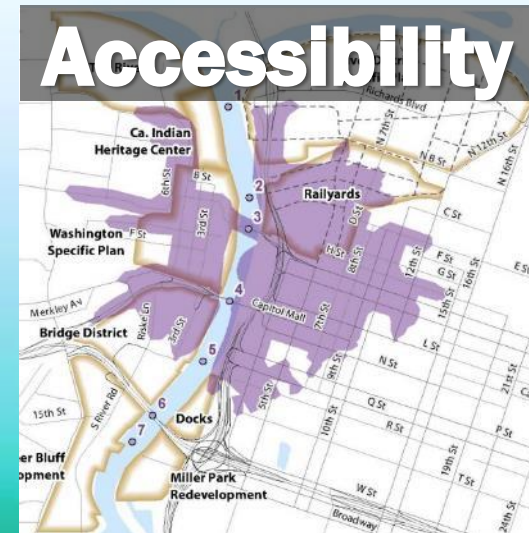
(c) Applicability.

The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.

Note: Authority cited: Sections 21083 and 21099, Public Resources Code. Reference: Sections 21099 and 21100, Public Resources Code; *Cleveland National Forest Foundation v. San Diego Association of Governments* (2017) 17 Cal.App.5th 413; *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256; *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal. App. 4th 173.

Shifting Priorities

- Fundamental alteration to traditional transportation analysis
- Better align analysis with other environmental sections
- Legislative intent:
 - Encourage infill development
 - Encourage active transportation and healthier communities



Decision Points

- Metrics – What VMT counts?
- Methodology – What model should be used?
- Thresholds – Use OPR's thresholds or a different threshold?
- Screening – What types of projects should we exempt?
- Mitigation – What options should be considered to mitigate significant VMT impacts?

A Public Review Process (§15064.7)

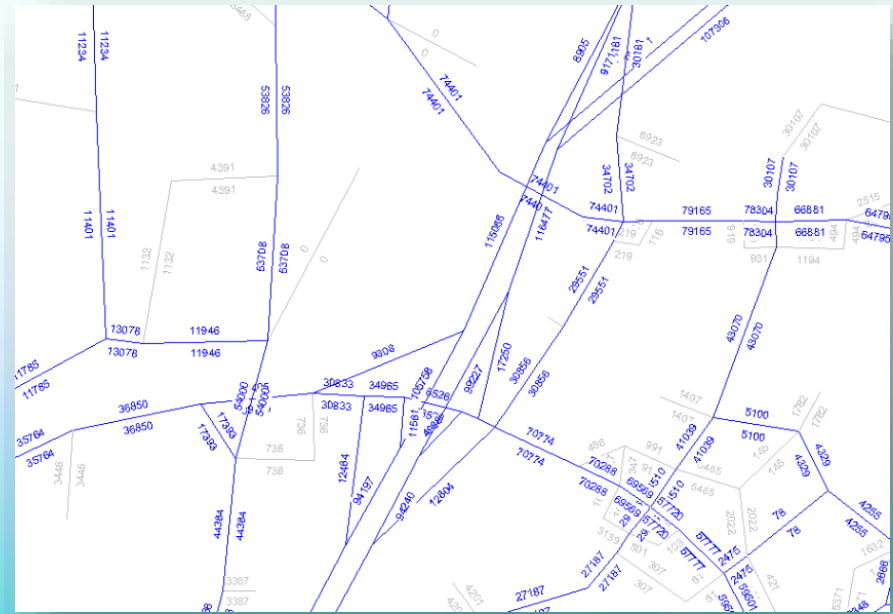
- CEQA generally requires that general use thresholds be adopted through a public process
- Adopt by statute, ordinance or resolution
- Could use thresholds recommended by other public agencies (e.g. OPR or other local and regional agencies)
- Leverage ongoing land use planning or climate planning work

Achieving a Broader Consensus

- **Including some of the following elements in the process:**
 - Informational presentations to decision makers
 - Technical Advisory Committees
 - General public engagement
 - Engagement with key stakeholder groups
 - Coordination with other local agencies
 - Formal agenda items at Planning Commission and City/Town Council meetings

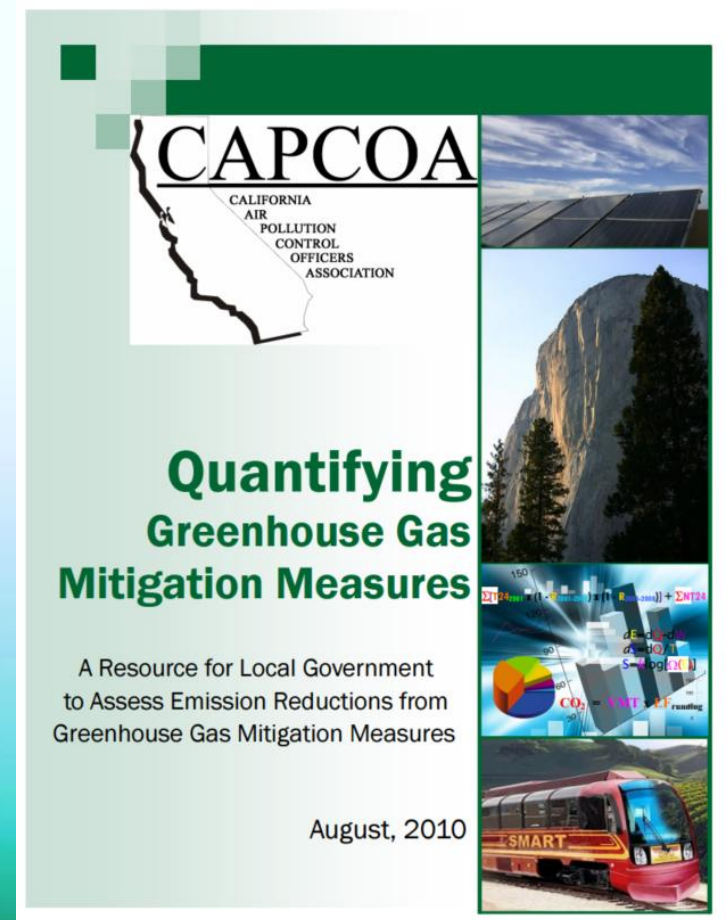
New Technical Challenges

- How sensitive are models to what we need to analyze?
- How do we know that the trip distribution in the model is reasonable?
- What happens when trips are truncated?





Addressing Mitigation

- Effectiveness of TDM strategies are difficult to quantify at the project-level
- Research is limited (new research soon from CARB?)
- How long should effectiveness be monitored for?
- What if impacts are significant and unavoidable?





Clarity in Spring 2020?



SB 743
Implementation
Caltrans Draft
Transportation
Analysis under
CEQA (TAC)

Caltrans TAC Webinar | May 15, 2020



Caltrans Draft
Transportation
Analysis Framework
(TAF)

Caltrans TAF Webinar | May 11, 2020

Where Many Agencies Stand Today

- COVID-19 has delayed some implementation efforts
- July 1, 2020 mandatory implementation date is still in effect
- Agencies without adopted thresholds are defaulting to OPR pending adoption of local thresholds
- Shift focus to mitigation effectiveness research
- Mitigation banking and areawide TDM/VMT fees

Navigating Future Changes

- A watershed event, preceded by small changes
- Communicate with decision makers often about regulatory changes as they come up
- Our ultimate client (the public) desires great transportation that serves them well
- Identify shortcomings in tools and respond collectively as an industry to address
- Expect more evolution as we continue forward and travel trends change

Questions?

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